

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIAM JAMES GRADFORD, JR.,

Plaintiff,

v.

WARDEN,

Defendant.

Case No. 2:24-cv-01841-JDP (PC)

ORDER

DENYING PLAINTIFF'S MOTIONS TO
PROCEED IN FORMA PAUPERIS AS
INCOMPLETE AND HIS REQUEST FOR
ASSISTANCE WITHOUT PREJUDICE

ECF Nos. 5, 7, & 8

Plaintiff has filed a pro se complaint, ECF No. 1, but both of his applications to proceed *in forma pauperis*, ECF Nos. 5 & 7, are incomplete. The first motion is little more than a single, handwritten page asking for leave to seek *in forma pauperis* status. ECF No. 5 at 1. The second utilizes the court's prisoner *in forma pauperis* application, but plaintiff has not provided the information that I need to determine whether he qualifies to proceed without prepayment of the filing fee. ECF No. 7. Accordingly, the requests are denied without prejudice to filing a properly completed application for leave to proceed *in forma pauperis*.

I will also deny plaintiff's request for assistance, ECF No. 8, without prejudice. Therein, he claims not to understand some of the district's local rules. While a familiarity with the local rules is encouraged, plaintiff's *pro se* status merits a degree of leniency. Thus, to the extent that his best efforts with compliance fall short, I will excuse those lapses where possible. That being

1 said, the court cannot act as advisory counsel or explain rules that are not yet at issue.

2 Accordingly, it is hereby ORDERED that:

3 1. Plaintiff's applications for leave to proceed *in forma pauperis*, ECF Nos. 5 & 7, are
4 denied without prejudice to filing a properly completed application for leave to proceed *in forma*
5 *pauperis*.

6 2. Within fourteen days from the date of this order, plaintiff shall submit a signed and
7 complete affidavit in support of her request for leave to proceed *in forma pauperis*. Failure to
8 comply with this order may result in a recommendation that action being dismissed.

9 3. The Clerk of Court is directed to send him a pro se application to proceed *in forma*
10 *pauperis* form.

11 4. Plaintiff's request for assistance, ECF No. 8, is DENIED without prejudice.

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13 IT IS SO ORDERED.

14 Dated: October 2, 2024

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16 JEREMY D. PETERSON
17 UNITED STATES MAGISTRATE JUDGE
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